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JAMES BONINI
CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIVISION

United States of America,
Plaintiff,

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Case No. 1:02-cr-29
(Judge Sandra S. Beckwith, Chief Judge)

vs.

Floyd M. Bruce,
Defendant.

NOTICE OF APPEARANCE

Notice is hereby given that J. Vincent Aprile II, Lynch, Cox, Gilman & Mahan P.S.C., 500 West Jefferson Street, Suite 2100, Louisville, Kentucky 40202, will appear as counsel for defendant Floyd M. Bruce in the resentencing to be held in the above-captioned action.

Undersigned counsel Aprile represented defendant Bruce in the United States Court of Appeals for the Sixth Circuit on the appeal of his conviction and sentence in this action. United States of America v. Floyd M. Bruce, United States Court of Appeals for the Sixth Circuit, No. 03-3110. Undersigned counsel was appointed in the Sixth Circuit Court of Appeals pursuant to the Criminal Justice Act, 18 U.S.C. § 3006A, *et seq.*

Undersigned counsel Aprile seeks to appear on Mr. Bruce's behalf by appointment pursuant to Fed. R. Crim. P. 44(a) and the Criminal Justice Act, 18 U.S.C. § 3006A, *et seq.*

Undersigned counsel is not a member of the Ohio Bar Association or the Bar of this Court, but would appear pro hac vice in the instant case. Undersigned counsel is a member in good standing of the Bar of the highest Court of the State of Kentucky and is admitted to practice before the United States Court of Appeals for the Sixth Circuit.

Undersigned counsel has been requested by the defendant, Floyd M. Bruce, to seek this appointment and to continue the attorney-client relationship that was formed on the appeal of this action. By letter dated May 30, 2005, defendant Floyd M. Bruce notified the Clerk of the United States Court of Appeals for the Sixth Circuit that he wanted undersigned counsel Aprile to "represent [him] at the resentencing phase of this case." Defendant Bruce sent undersigned counsel a courtesy copy of that letter. A copy is attached to this notice of appearance. As the letter indicates, defendant Bruce believes that he has "irreconcilable differences" with Mr. Peter Rosenwald who previously withdrew from this case.

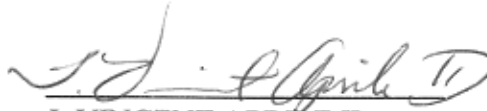
Undersigned counsel is extremely familiar with the record of the prior proceedings in this Court as a result of his appellate representation of Mr. Bruce and equally familiar with the appellate proceedings that generated this resentencing.

Undersigned counsel Aprile is also familiar to some degree with Mr. Bruce's problems with U. S. Immigration & Customs Enforcement.

Undersigned counsel Aprile will be out of the country from Monday, June 27, 2005, and will return on Monday, July 11, 2005. Undersigned counsel plans to be in his office on Tuesday, July 12, 2005.

Upon appointment undersigned counsel Aprile requests an appropriate period of time following his return to this country on July 11, 2005 to file: (1) any sentencing memorandum; (2) any new objections, including previously asserted objections defendant Bruce chooses to reassert; and (3) any request for a new or amended presentence investigation report.

Respectfully submitted,



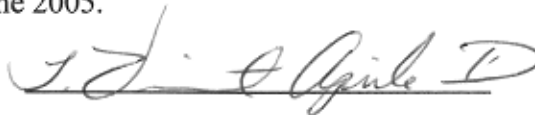
J. VINCENT APRILE II
ATTORNEY AT LAW
LYNCH, COX, GILMAN & MAHAN, P.S.C.
500 WEST JEFFERSON STREET
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LOUISVILLE, KENTUCKY 40202

502.589.4215 (VOICE)
502.589.4994 (FAX)

COUNSEL FOR DEFENDANT
FLOYD M. BRUCE

NOTICE

Notice is hereby given that the foregoing notice of appearance was mailed, first class postage prepaid, to the Clerk of the United States District Court for the Southern District of Ohio, Western District, Potter Stewart U.S. Courthouse, Room 103, 100 East Fifth Street, Cincinnati, Ohio 45202, this 17th day of June 2005.



CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing notice of appearance has been mailed, first class postage prepaid, on this 17th day of June 2005 to Hon. Timothy D. Oakley, Assistant U.S. Attorney, U.S. Attorney's Office, Southern District of Ohio, 221 E. Fourth Street, Suite 400, Cincinnati, Ohio 45202 and to Floyd M. Bruce, Pike County Correctional Facility, 175 Pike County Blvd., Lords Valley, PA 18428.

A handwritten signature in cursive script, appearing to read "J. Timothy D. Oakley", is written over a horizontal line.

UNITED STATES COURT OF APPEALS
For the sixth circuit, RM 532
Mr. Leonard Greene.

Mr. Floyd Bruce
Pike County jail, HC
P.O. Box 8600
Hawley, Pennsylvania, 18428.

May, 30, 2005.

RE: 03-3110
USA Vs. BRUCE
District court No. 02-00029

Dear, mr, Green,

I, respectfully request that mr, vince Aprile represent me at the resentencing phase of this case. Mr, Aprile is well informed on this matters, and his input is very important to the outcome of this case. He is actively pursuing presentation for This hearing.

In a letter dated May 24, 2005, mr, Peter Rosenwald, indicated that he Has been re appointed to represent me at this hearing.

Mr, Rosenwald voluntarily sought and was granted leave to withdraw by the court For reasons best known to him. *at the Initial Sentencing hearing*

That mr, Rosenwald untimely withdrawal fostered an atmosphere *that* led to Irreconcilable differences to the attorney client relationship that existed at time. His withdrawal collapsed my appeal strategy.

It is my plea that the court reconsider to grant mr, Aprile continuance.

Thank you for your time, I look forward to hear from you soon.

Sincerely yours,

Floyd Bruce 5/30/05

*Enclosure, Vince Aprile
Leonard Greene,*